

NOTICE TO THE BAR

Re: Defaults Scheduled for Review by the Disciplinary Review Board

The following matters have been certified to the Disciplinary Review Board as defaults, in accordance with R.1:20-4(f):

In the Matter of Peter E. Hess Docket No. DRB 02-102

In the Matter of James P. Fox Docket No. DRB 02-127

In the Matter of Mark D. Cubberley Docket No. DRB 02-134

These matters are scheduled to be reviewed by the Board on Thursday, May 16, 2002. R.1:20-4(f) provides that an attorney-respondent's failure to timely file an answer "shall be deemed an admission that the allegations of the complaint are true and . . . provide sufficient basis for the imposition of discipline." Although chances for a successful motion are limited, a motion to vacate the default may be filed with the Board by no later than May 6, 2002. **MOTIONS RECEIVED AFTER THE DEADLINE WILL NOT BE REVIEWED BY THE BOARD.** The motion should specify why the attorney-respondent failed to file a timely answer (including lack of notice) and should set forth any claimed meritorious defenses to the ethics charge. The motion must also be simultaneously served on the Director of the Office of Attorney Ethics and, where appropriate, the district ethics committee responsible for the underlying ethics matter. A certification regarding that service must accompany any documents filed with the Board.

Respondents may communicate with the Board by contacting the Office of Board Counsel at: P.O. Box 962
Trenton, NJ 08625
Telephone: 609-292-1012

Dated: April 22, 2002
Robyn M. Hill
Chief Counsel
Disciplinary Review Board

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